

March 20, 2006



U.S. Department
of Transportation

400 Seventh Street, S.W.
Washington, D.C. 20590

**Pipeline and
Hazardous Materials
Safety Administration**

DOT-SP 9166
(TENTH REVISION)

EXPIRATION DATE: December 31, 2009

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Comptank Corporation, Bothwell, Ontario, Canada
(US AGENT: North American Transportation
Consultants, Incorporated, Hightstown, New
Jersey)
2. PURPOSE AND LIMITATIONS:
 - a. This special permit authorizes the continued use of glass fiber reinforced plastic cargo tanks manufactured and certified prior to September 1, 1995 for use in the transportation in commerce of certain hazardous materials described in paragraph 6 below. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
 - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce.
 - c. Party status will not be granted to this special permit.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

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4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 107.503(b) and (c) in that the manufacturer does not hold an ASME "U" or National Board "R" stamp; § 172.102(c)(3); Special Provisions B15, B23, § 173.241, § 173.242, § 173.243, § 178.340, § 178.342, § 178.343, § 180.405, and § 180.413(d) in that the use of non-DOT specification cargo tank motor vehicles is not authorized except as specified herein.
5. BASIS: This special permit is based on the application of Comptank Corporation dated January 9, 2006, submitted in accordance with § 107.109.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous materials description - - proper shipping name	Hazard Class/ Division	Identi- fication Number	Packing Group
Class 8 materials authorized to be transported in a lined MC-312 cargo tank motor vehicle, Class 8 liquid and semi-solid waste materials (specific chemical name or generic description as appropriate)	8	Various	I, II or III
Class 3 liquid and semi-solid waste materials/(specific chemical name or generic description as appropriate)	3	Various	I, II or III
Class 6.1 liquid and semi-solid waste materials/(specific chemical name or generic description as appropriate)	6.1	Various	I, II or III
Class 9 liquid and semi-solid waste materials/(specific chemical name or generic description as appropriate)	9	Various	I, II or III

7. SAFETY CONTROL MEASURES:

PACKAGING - For the transportation of hazardous materials identified in paragraph 6 above, the packagings prescribed are non-DOT specification glass fiber reinforced plastics (GFRP) cargo tank motor vehicles having a design pressure of 35 psig and a normal capacity of 5,680 U.S. gallons. Tanks must be designed and constructed in accordance with Composite Engineering drawings CE-101-83 through CE-108-83 dated September 1983, calculations, and technical specifications on file with the Office of Hazardous Materials Special Permits and Approvals (OHMSPA). No new construction is authorized.

a. The GFRP cargo tanks must be in compliance with §§ 173.241, 173.242 or 173.243, as prescribed in the Hazardous Materials Table (172.101), except that Special Provisions, B15 and B23 are waived. In addition, they must meet all requirements for the MC-312 specification cargo tank motor vehicle (§§ 178.340 and 178.343), except as follows:

1. §§ 178.340-3, 178.343-2(a) - Type of material does not apply. Instead, tank shell, heads and fittings must be constructed of GFRP in accordance with the data on file with the OHMEA.
2. § 178.340-5 - Not applicable.
3. § 178.340-7 - Reinforcement provided by the GFRP-FOAM-GFRP and GFRP-BALSA-GFRP sandwich construction may be Substituted for the circumferential reinforcement prescribed in § 178.340-7 provided the resultant reinforcement produces a structural integrity at least equal to that prescribed in § 178.340-4(b).
4. § 178.340-10-(b)(1) "DOT-SP 9166" must be stamped on the line which reads "Specification identification" on the metal certification plate.

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5. § 178.340-10 - The manufacturer's certificate
 (c) retained by the motor carrier
 must be appropriately modified
 to reflect compliance with the
 terms of this special permit.

b. For the transportation of hazardous waste materials, the packaging prescribed is a non-DOT Specification glass fiber reinforced plastics (GFRP) cargo tank designed and constructed in accordance with Composite Engineering drawing CE-101V-1-84 dated May, 1984, on file with the OHMSPA. No new construction is authorized. The GFRP cargo tanks must be in full compliance with DOT Specification MC-307 or MC-312 (§§ 178.340, 178.342, and 178.343) cargo tanks except as follows:

1. §§ 178.340-3,
 178.343-2(a) - Type of material does not
 apply. Instead, tank shell,
 heads and fittings must be
 constructed of GFRP in accordance
 with the data on file with the
 OHMSPA.
2. § 178.340-5 - Not applicable.
3. § 178.340-7 - Reinforcement provided by
 the GFRP-FOAM-GFRP and
 GFRP-BALSA-GFRP sandwich construc-
 tion may be substituted for the
 circumferential reinforcement
 prescribed in § 178.340-7 provided
 the resultant reinforcement
 produces a structural integrity at
 least equal to that prescribed in
 § 178.340-4(b).
4. § 178.340-9 - Vacuum pumps and separators
 may not be mounted on the
 cargo tank shell or heads.
5. § 178.340-
 10(b)(1) - "DOT-SP 9166" must be stamped
 on the line which reads
 "Specification identification"
 on the metal certification
 plate.

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6. § 178.340-10(c) - The manufacturer's certificate retained by the motor carrier must be appropriately modified to reflect compliance with the terms of this special permit.

7. §§ 178.342-1(b),
178.343-1(c) - Tanks must have a minimum internal design pressure of 35 psig and a minimum external design pressure of 15 psig. The internal design pressure must be at least equal to the maximum pressure for unloading. Vacuum tanks must have an external design pressure of at least 15 psig. The ASME "U" stamp is not required.

8. §§ 178.342-5(a),
178.343-5(b) - In place of the required internal valves, each tank may be equipped with one 6-inch maximum diameter bottom outlet stop valve and one optional 4-inch maximum diameter bottom inlet stop valve located near the rear of the tank protected by the under carriage. Each bottom outlet and each bottom inlet must be equipped with an additional shut-off valve, or a blank flange or sealing cap. Each stop valve must be provided with a remote means of closure located not less than 10 feet from the stop valve. In addition, for cargo tanks in Class 3 or Division 6.1 material service, each stop valve must be self closing and must be able to be closed in case of fire or accident by an automatic heat-actuated means which must become effective at a temperature not over 250° F.

B. OPERATIONAL CONTROLS:

1. Tanks that are to be used in transporting Class 3 waste materials must be equipped with a spring loaded relief valve.

2. The compatibility of commodities and the GFRP cargo tank must be based on ASTM C 581 "Standard Test Method for Chemical Resistance of Thermosetting Resins Used in Glass Fiber Reinforced Structures". Test reports must be maintained by the owner or manufacturer for as long as the cargo tank remains in active operation.

8. SPECIAL PROVISIONS:

a. In accordance with the provisions of paragraph (b) of § 173.22a, persons may use the packaging authorized by this special permit for the transportation of the hazardous materials specified in paragraph 6, only in conformance with the terms of this special permit.

b. A person who is not a holder of this special permit, but receives a package covered by this special permit, may reoffer it for transportation provided no modifications or changes are made to the package and it is offered for transportation in conformance with this special permit and the HMR.

c. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.

d. Each packaging manufactured under the authority of this special permit must be either (1) marked with the name of the manufacturer and location (city and state) of the facility at which it is manufactured or (2) marked with a registration symbol designated by the Office of Hazardous Materials Special Permits and Approvals for a specific manufacturing facility.

e. A current copy of this special permit must be maintained at each facility where the package is manufactured under this special permit. It must be made available to a DOT representative upon request.

f. Each cargo tank must be reinspected and retested in accordance with § 180.407(c) as prescribed for DOT specification MC-312 cargo tanks.

g. No new construction is authorized.

h. Packagings permanently marked 'DOT-E 9166', prior to October 1, 2007 may continue to be used under this special permit for the remaining service life of the packaging or until the special permit is no longer valid. Packagings marked on or after October 1, 2007 must be marked 'DOT-SP 9166'.

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i. Shipping papers displaying 'DOT-E 9166' may continue to be used until October 1, 2007, provided the special permit remains valid.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS:

a. A current copy of this special permit must be carried aboard each motor vehicle used to transport packages covered by this special permit.

b. Drivers must have been instructed as to necessary safeguards and proper procedures in the event of unusual delay, fire or accident.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, Parts 171-180
- o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8 who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when the special permit has expired or is otherwise no longer in effect.

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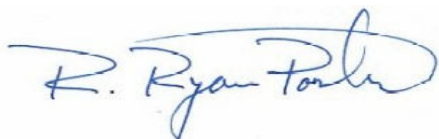
Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)- 'The Hazardous Materials Safety and Security Reauthorization Act of 2005' (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term 'exemption' to 'special permit' and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS:

a. Any cracks, delaminations, gouges, debonding or linear deterioration found during the visual inspection that could substantially reduce the structural integrity of the cargo tank must be reported to the OHMSPA.

b. Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.

A handwritten signature in blue ink, appearing to read "R. Ryan Porter", is written over a faint, circular official stamp.

for Robert A. McGuire
Associate Administrator
for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, Washington, D.C. 20590. Attention: PHH-31.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/special_permit Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: sln